

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

NAVELLIER & ASSOCIATES, INC. and
LOUIS NAVELLIER,
Defendants.

Case No. 17-cv-11633-DJC

**PLAINTIFF'S RESPONSE TO
DEFENDANTS' REQUEST FOR EX PARTE CONSIDERATION
OF THEIR MOTION FOR TEMPORARY STAY OF ENFORCEMENT**

Defendants' Request for Ex Parte Consideration of their Motion for a Temporary Stay of Enforcement (ECF No. 304, and erroneously filed a second time at ECF No. 305) should be denied as moot. On June 30, 2020, during the pendency of this motion, Defendants also moved the Circuit Court of Appeals (Case 20-1581, Doc. #00117608453) for a temporary stay of this Court's Final Judgment pending this Court's decision on their Motion to Stay (ECF No. 301). The Circuit Court stayed this Court's final judgment "until such time as the district court has ruled on the motion for stay of enforcement of the judgment pending before it." The Circuit Court expressed "no view as to the merits of the pending motion...." The Commission's Opposition to Defendants' Motion to Stay Enforcement of Final Judgment (ECF No. 301) will be filed on Monday, July 6, 2020, in accordance with Local Rule 7.1(b)(2).

Accordingly, Defendants' Motions (ECF No. 304 & 305) should be denied as moot.

Respectfully submitted,

SECURITIES AND EXCHANGE COMMISSION
By its attorneys,

/s/ Marc Jones

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Dated: July 2, 2020

CERTIFICATE OF SERVICE

I hereby certify that this document was filed on July 2, 2020, through the ECF system and will be sent to the registered participants as identified on the Notice of Electronic Filing (NEF) as of the date of this filing.

/s/ Marc Jones
Marc Jones

Dated: July 2, 2020